



TOWN OF TEWKSBURY

TOWN HALL
1009 MAIN ST
TEWKSBURY, MASSACHUSETTS 01876

FINANCE COMMITTEE

Raymond Lisiecki, Chairman
David Aznavoorian, Vice Chair
Rob Kocsmiersky, Clerk
Damin Sutherby
Thomas L. Cooke
Paul McDermott

Meeting Minutes September 23, 2015

1) Call to Order

The meeting was called to order by Raymond Lisiecki, Chairman, at 7:00 p.m. at the Pike House (temporary Town Hall). Present at the meeting were David Aznavoorian, Tom Cooke, Paul McDermott, and Rob Kocsmiersky. Also in attendance was Richard Montuori, Town Manager, Karen Kucala, Finance Director, and Melissa Johnson, Recording Secretary.

Damin Sutherby was not in attendance.

2) Public Hearing – October 6, 2015 Special Town Meeting

Mr. Lisiecki requested a motion to waive the reading of the warrant articles.

MOTION: Mr. Aznavoorian made a motion to waive the reading of the warrant articles; seconded by Mr. Cooke and the motion carried 5-0.

Article 1

Mr. Montuori explained that Article 1 seeks to raise and appropriate \$1,137,871 to fund FY16 budgets as outlined in the Article, including: school budget salaries (\$18,607), school budget operating (\$102,532), school budget capital outlay (\$200,000), school budget health insurance (\$360,567), COA operating (\$31,000), police capital outlay (\$28,735), fire salaries (\$118,117), fire operating (\$31,000), computer services capital outlay (\$10,000), town hall annex capital outlay (\$10,000), community development operating (\$75,000), DPW administration salaries (\$10,313), DPW administration capital outlay (\$10,000), and DPW fleet maintenance capital outlay (\$132,000).

Mr. Montuori explained that this Article is requesting to raise and appropriate as they were able to identify additional revenue from State Aid, local revenues, and new growth was certified higher than projected.

Mr. Cooke asked if the funds for the Council on Aging (COA) will all go in to the building and Mr. Montuori confirmed this. Mr. Cooke asked where the funds will be coming from for the three new positions. Mr. Montuori explained that these positions will be funded through the formula grant the COA receives each year.

Discussion took place on the type of utility truck being purchased by the DPW. Mr. Cooke requested additional information on the type of truck that will be purchased and whether any attachments are included, etc. Mr. Montuori confirmed he will provide more information on this at town meeting. Mr. Cooke thanked Mr. Montuori on the additional information on the Laser shot for the police department.

Mr. Aznavoorian asked if the increased revenues are recurring revenues and Mr. Montuori confirmed this.

Mr. Lisiecki asked what the State Aid amount was and Mr. Montuori noted approximately \$371,000

Mr. Lisiecki opened the hearing to the public and no one came forward to comment.

MOTION: Mr. Aznavoorian made the motion to adopt Article 1 as presented; seconded by Mr. Cooke and the motion carried 5-0.

Article 2

Mr. Montuori explained that Article 2 seeks to raise and appropriate \$117,000 to fund and implement the Collective Bargaining Agreement between the town and the International Association of Firefighters, Tewksbury Firefighters Local 1647.

Mr. Lisiecki opened the hearing to the public and no one came forward to comment.

MOTION: Mr. Cooke made the motion to adopt Article 2 as presented; seconded by Mr. Aznavoorian and the motion carried 5-0.

Article 3

Mr. Montuori explained that Article 3 seeks to raise and appropriate \$30,214.54 for outstanding bills from the previous year.

Mr. Kocsmiersky asked why \$28,590.17 is owed to Merrimack Education Collaborative and Ms. Matthews explained that in April, 2015 she requested the final bill and she was also sent outstanding bills from 2011, 2012, & 2013.

Mr. Lisiecki opened the hearing to the public and no one came forward to comment.

MOTION: Mr. Cooke made the motion to adopt Article 3 as presented; seconded by Mr. Aznavoorian and the motion carried 5-0.

Article 4

Mr. Montuori explained that Article 4 seeks to transfer \$65,000 from Water Enterprise Fund Retained Earnings and \$65,000 from Sewer Enterprise Fund Retained Earnings to purchase a utility truck with crane and box.

Mr. Cooke requested specifications on this equipment and Mr. Montuori confirmed he will provide this information.

Mr. Lisiecki opened the hearing to the public and no one came forward to comment.

MOTION: Mr. Cooke made the motion to adopt Article 4 as presented; seconded by Mr. Aznavoorian and the motion carried 5-0.

Article 5

Mr. Montuori explained that Article 5 seeks to transfer \$220,000 from certified General Fund free cash for demolition and hazardous material removal at the old police station as well as to purchase a backhoe with attachments and accessories.

Mr. Montuori explained that \$50,000 has already been appropriated for the demolition of the old police station. He has been informed that the cost to remove the hazardous materials alone will be approximately \$85,000. It is hoped that the building will be taken down before winter.

Mr. Cooke requested specifications on the equipment being requested and Mr. Montuori confirmed he will provide this.

Mr. Lisiecki requested items such as these are put into their own articles in the future.

Mr. Lisiecki opened the hearing to the public and no one came forward to comment.

MOTION: Mr. Aznavoorian made the motion to adopt Article 5 as presented; seconded by Mr. Cooke and the motion carried 5-0.

Article 6

Mr. Montuori explained that Article 6 seeks to transfer \$207,500 from certified General Fund free cash for school department capital expenditures, including: pickup truck with plow (\$49,000), water boilers for the Wynn and Ryan Schools (\$70,000), pipe work at the Dewing School (\$15,000), water tank for back of truck (\$3,500), Wynn presentation systems in classroom (\$20,000), and Center School feasibility and condition study (\$50,000).

Mr. Lisiecki asked if grants were sought from the utility companies to replace the boilers with more energy efficient boilers. Ms. Matthews explained that she did not do this, but can. Mr. Montuori explained that he will have Kyle Boyd, Conservation Agent, research this as he has been working with Guardian for the Green Committee.

Mr. Cooke noted that he is familiar with the school department operations and has concerns with the purchase of a new pickup truck and plow as this was just recently purchased. In addition, the Committee has been given no details on what is being studied and what the plans are for the Center School. Mr. Cooke feels some of these funds could be put to better uses for the infrastructure at the schools, especially the elementary school schools as some have windows you cannot see out of.

Mr. Lisiecki opened the hearing to the public and no one came forward to comment.

MOTION: Mr. Cooke made motion to delete the pick up truck and Center School feasibility study and change the bottom line figure to \$108,500. The motion failed as there was no second.

MOTION: Mr. Aznavoorian made the motion to adopt Article 4 as presented; seconded by Mr. McDermott and the motion carried 4-1. Mr. Cooke was opposed.

Article 7

Mr. Montuori explained that Article 7 seeks to re-allocate \$41,815.85, or any amount remaining, from the original appropriation of \$90,000 as approved at the October 7, 2014 town meeting for cafeteria tables for the four elementary schools. This would allow the funds to be used to purchase furniture for all of the schools.

Ms. Matthews explained that they were able to obtain a significant discount on the cafeteria tables leaving the remaining balance.

Mr. Lisiecki opened the hearing to the public.

Dennis Francis, School Committee, came forward and noted that even if MSBA approval is received for a new elementary school, the new furniture would still be utilized.

MOTION: Mr. Aznavoorian made the motion to adopt Article 7 as presented; seconded by Mr. Cooke and the motion carried 5-0.

Article 8

Mr. Montuori explained that Article 8 requests to transfer \$10,000 from certified General Fund Free Cash to fund a Senior Tax Relief Work Program.

Mr. Lisiecki opened the hearing to the public and no one came forward to comment.

MOTION: Mr. Cooke made the motion to adopt Article 8 as presented; seconded by Mr. Aznavoorian and the motion carried 5-0.

Article 9

Mr. Montuori explained that Article 9 requests to transfer \$350,000 from certified General Fund Free Cash to other Post Employment Benefit Account (OPEB) to fund the town's outstanding unfunded liability of \$166 million for retiree health insurance.

Mr. Cooke requested a breakdown on these funds and the OPEB account. Ms. Kucala will provide a report on this to the Committee.

Mr. Lisiecki opened the hearing to the public.

Todd Johnson, Board of Selectmen Chairman, came forward and explained that he agrees with Mr. Cooke on the transparency of the funds; however, another thing to be taken into consideration is the town's bond rating.

MOTION: Mr. Cooke made the motion to adopt Article 9 as presented; seconded by Mr. Aznavoorian and the motion carried 5-0.

Article 10

Mr. Montuori explained that Article 10 seeks to transfer \$1,637,157 from certified General Fund Free Cash to the town stabilization fund for future purchases.

Mr. Lisiecki opened the hearing to the public and no one came forward to comment.

MOTION: Mr. Cooke made the motion to adopt Article 10 as presented; seconded by Mr. Aznavoorian and the motion carried 5-0.

Article 11

Mr. Montuori explained that Article 11 seeks to appropriate and transfer \$202,125 from the Community Preservation Fund to rehabilitate Strong Field at Tewksbury Memorial High School. Mr. Montuori noted that this is something that should have been done when the new high school was constructed and was not.

Mr. Lisiecki opened the hearing to the public and no one came forward to comment.

MOTION: Mr. Aznavoorian made the motion to adopt Article 11 as presented; seconded by Mr. McDermott and the motion carried 5-0.

Article 12

Mr. Montuori explained that Article 12 seeks to appropriate and transfer \$200,000 from the Community Preservation Fund to rehabilitate the Livingston Street recreation area fields. \$100,000 will be transferred from the open space reserve and \$100,000 will be transferred from the undesignated reserve fund.

Mr. Lisiecki opened the hearing to the public and no one came forward to comment.

MOTION: Mr. Aznavoorian made the motion to adopt Article 12 as presented; seconded by Mr. McDermott and the motion carried 5-0.

Article 13

Mr. Montuori explained that Article 13 seeks to appropriate \$5,000,000 for construction and engineering for the closure and remediation of the Sutton Brook Landfill. Mr. Montuori explained that the town signed an agreement with the other potential parties to fund the closing of Sutton Brook in 2009 with a requirement being the town to authorize the borrowing of \$500,000,000. The funds did not have to be borrowed, just authorized. The authorization was never obtained and the other parties involved recently questioned this. Mr. Montuori explained that he is researching whether it would be more beneficial to actually borrow the money as the interest may be lower.

Mr. Cooke requested the strategic plan be provided to the members, return on tax titles, what the long range plan is, and how the town can recoup some of the finances expended.

Mr. Lisiecki opened the hearing to the public and no one came forward to comment.

MOTION: Mr. Cooke made the motion to adopt Article 13 as presented; seconded by Mr. McDermott and the motion carried 5-0.

Article 14

Mr. Montuori explained that Article 14 seeks to amend the Personnel Bylaw, Section III (e) wage schedule by amending Addendum D as outlined in the article. Mr. Montuori explained that these are all hourly employees.

Mr. Lisiecki opened the hearing to the public and no one came forward to comment.

MOTION: Mr. Aznavoorian made the motion to adopt Article 14 as presented; seconded by Mr. McDermott and the motion carried 5-0.

Article 15

Present was Todd Johnson, Chairman of the Board of Selectmen. Mr. Johnson explained that Article 15 seeks to authorize the Board of Selectmen to submit a Home Rule Petition to the General Court of Massachusetts that if enacted would amend the Town's Special Act Charter by deleting the third sentence of Section 5A which reads: "He need not be a resident of the town or of the Commonwealth when appointed, but shall become a resident of the town or live within a ten mile radius of the town during the first year of his appointment". The Board of Selectmen has noted that surrounding towns in the area have had some difficulty obtaining qualified candidates by limiting residency. Mr. Johnson noted that this has nothing to do with the current town manager and explained that a few years ago there was a Special Act Charter Committee and this was one of the recommendations they unanimously made at that time.

Mr. Lisiecki opened the hearing to the public and no one came forward to comment.

MOTION: Mr. Aznavoorian made the motion to adopt Article 15 as presented; seconded by Mr. Cooke and the motion carried 5-0.

Article 16

Mr. Montuori explained that Article 16 requests the Town to accept Massachusetts General Laws, Chapter 59, Section 5, Clause 5C (Chapter 61 of the Acts of 2008) to provide for an exemption of up to \$1,500,000 in value for eligible non-profit Veterans.

Mr. Lisiecki opened the hearing to the public and no one came forward to comment.

MOTION: Mr. Aznavoorian made the motion to adopt Article 16 as presented; seconded by Mr. Kocsmiersky and the motion carried 5-0.

Article 17

Present was Steve Sadwick, Director of Community Development. Mr. Sadwick explained that Article 17 requests to transfer a town owned parcel to the Tewksbury Conservation Commission to allow for protection under Article 97 of Commonwealth Constitution. In 2004, residents voted to put a conservation restriction on this parcel due to the findings of a Wildlife Habitat study that found two vernal pools on the property.

Mr. Lisiecki opened the hearing to the public and no one came forward to comment.

MOTION: Mr. Cooke made the motion to defer Article 17 to the Conservation Commission; seconded by Mr. and the motion carried 5-0.

Article 18

Mr. Sadwick explained that Article 18 seeks to amend the Zoning Bylaw by amending the recently approved Westside Neighborhood Business District (WNBD) to allow commercial and industrial uses to the larger commercial/industrial parcels that are located on the east side of Woburn Street abutting the town of Billerica and immediate abutters. Mr. Montuori provided the members with a map of the area.

Mr. Lisiecki opened the hearing to the public and no one came forward to comment.

MOTION: Mr. made the motion to defer Article 18 to the Planning Board; seconded by Mr. and the motion carried 5-0.

Article 19

Mr. Montuori explained that Article 19 is a petition article for a street acceptance of Crystal Circle as a public way.

Mr. Cooke explained that he visited this location and expressed concerns with the streets location, accessibility, and whether the items required for the street to become a public way have been met. Mr. Cooke recommended indefinite postponement.

Mr. Montuori noted that the map has not yet been filed with the town clerk and explained that this is something they have been trying to get the petitioner to do. Mr. Cooke noted that this is not in compliance with the street acceptance request.

Mr. Lisiecki suggested no recommendation rather than indefinite postponement.

Mr. Johnson came forward and explained that the Planning Board voted to approve this with the condition that the town engineer is satisfied. They have agreed to move forward with the warrant article and if all conditions are not met prior to town meeting the warrant article will be pulled.

Mr. Aznavoorian suggested postponing recommendation to a time certain at town meeting.

Mr. Lisiecki opened the hearing to the public and no one came forward to comment.

MOTION: Mr. made the motion to table Article 19 to October 6, 2015 at 7:00 p.m.; seconded by Mr. and the motion carried 5-0.

MOTION: Mr. made the motion to close the public hearing on the Special Town Meeting warrant articles; seconded by Mr. and the motion carried 5-0.

Adjourn.

MOTION: Mr. Cooke made the motion to adjourn; seconded by Mr. Aznavoorian and the motion carried 5-0.

Approved: February 25, 2016

**Documents Presented and/or Discussed
September 23, 2015**

- 1) October 6, 2015 Special Town Meeting Warrant
A copy can be found with the Town Manager's office